

# WQAG MEETING SUMMARY

**April 4, 2011**

**7:00 p.m.– 9:00 p.m.**

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Trudi Bick, public-at-large	✓		Pamela Parker, DEP
Beth Forbes, public-at-large	✓		Katherine Nelson, MNCPPC Planning
Erica Goldman, scientific/academic	✓		
Carol Henry, scientific/academic	✓		
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural	✓		
Daphne Pee, public-at-large		✓	
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Patrick Walsh, environmental	✓		
Martin Chandler, WSSC	✓		
Meo Curtis, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00 Convene and approve March meeting summary and April agenda (Co-Chair Henry)	<p>Co-Chair Henry opened the meeting by providing a summary of the issues related to the WQAG sending a letter to the Council expressing concerns about the Executive's recommended budget for the MNCPPC. The County Attorney had issued an opinion that the WQAG mission was to annually provide comment on “water quality goals, objectives, policies, and programs.” Co-Chair Henry had communicated directly with Connie Latham, the Executive Office liaison, and agreed to provide a draft letter for Executive review prior to forwarding the WQAG letter to the Council.</p> <p>At 7:10, Co-Chair Henry moved to the presentation by MNCPPC since a quorum was lacking and action items had to be deferred.</p> <p>Quorum was reached at 7:15 p.m. After the presentation, the April meeting draft agenda in Attachment A and meeting summary for March were approved without opposition.</p>		
7:10 Presentation on Forest Issues in the County--Katherine Nelson, Planning Department <ul style="list-style-type: none"> <li>Results of the recent countywide tree canopy study</li> <li>Potential changes to the forest banking program to help increase water quality benefits, and</li> <li>Countywide forest easement tracking system,</li> </ul>	<p>Ms. Nelson provided a presentation on issues related to forest and tree preservation in the County. She began with the results of a recent study funded by the County and Takoma Park to review forest status and tree cover. She pointed out that the 40% tree canopy goal had been met in some of the County's urban areas but these areas lacked the understory and habitat complexity necessary in the definition of a 'forest'. The canopy cover goal needs to be updated--taking into account PEPCO clearing associated with power line maintenance and to assure that careful placement of trees to avoid conflicts with infrastructure and roads. Ms. Nelson noted that it was the Planning Department's goal to have the mapping information from this study generally available to the public via web.</p> <p>Ms. Nelson also went over possible changes to the County's forest banking program to maintain existing forested areas and to also promote more tree plantings and help improve local area water quality. Most of the current</p>		

forest banks are in the western part of the County where water quality tends to be better than in the more urban areas. Elements being examined include ways to increase stream valley buffer quality; provide more direct incentives for planting; and find ways to create more forest in non-agricultural areas. Mike Smith asked if the policy is based on a watershed specific approach. Ms. Nelson assured the WQAG that the first priority is to mitigate within the same watershed.

Erica Goldman asked if the Planning Department had identified ways to relate the canopy cover goals to water quality goals. This hadn't yet been done by the Planning Department. However, Mark Symborski from the Planning Department mentioned that refining this relationship would be done as part of the Bay Program model needs. The Bay Program already considered riparian reforestation as a water quality best management practice (BMP).

Ms. Nelson also mentioned that the County's forest easement records had been converted to an electronic mapping and tracking system available on the MNCPPC web site. The reason for this was to facilitate information to potential property owners--by law, realtors must disclose if there is any type of easement on a property being sold. This electronic map will also facilitate compliance visits to assure that easement areas are being maintained. Based on a desktop analysis, 90% were in compliance and 8% needed site visits. The other 2% needed site visits because of lack of clarity from the desktop review of information.

Subsequent discussion focused on how to find information that linked changes in the forest conservation law with water quality improvements. There was agreement that the WQAG would be willing to consider additional discussion when this type of evidence could be brought to them.

Ms. Nelson noted that the Planning Department was evaluating how to set goals for tree canopy based on land use category, that is residential, town center, multi-family-and water quality improvements possible. In an urbanized setting, the runoff goes from the impervious to the stream frequently directly conveyed and therefore bypassing the buffer's function. The Planning Department also wanted to consider broader issues related to climate and energy efficiency and site specificity. They also wanted to consider issues with deer management, and preventing forest regeneration, and long-term water quality impacts..

<p>8:00 Discussion of WQAG support for Planning Department and County Attorney's note</p>	<p>The WQAG then moved to discuss their potential support for the Planning Department relative to input from the Executive's Office and County Attorney. Ms. Goldman asked if the Planning Department could link their budget issues with water quality needs. Special Assistant Latham had concurred with Co-Chair Henry that the comments proposed for the letter would reflect concerns about achieving water quality goals. She had made it clear that the WQAG cannot direct another agency's budget decision.</p> <p>The WQAG then discussed specifics of the proposed comment letter (in Attachment B). There was agreement that the WQAG comment letter would focus on how water quality priorities were set; regulatory requirements for water quality goals; and interagency coordination to assure that all functions are met. There was a motion with second to complete the letter using these three points. The motion carried without opposition. Ms. Goldman volunteered to revise the letter based on the WQAG discussion.</p>
<p>8:50 Volunteers for WQAG Nomination Committee for April -May review of candidates</p>	<p>Co-Chair Henry went over the process for selection of new members. There were currently three members, including both Co-Chairs, eligible for re-appointment, and three vacancies. Usually, the Chair and Vice-Chair and DEP liaison comprise the interview and selection committee. However, those who must apply for re-appointment are not eligible to be on the selection committee. Therefore, two volunteers were needed to complete the interview process.</p> <p>Fred Samadani and Beth Forbes volunteered to participate on the interview committee. Meo Curtis, the outgoing DEP liaison, and Pam Parker, the incoming DEP liaison, would also serve on the interview committee.</p>
<p>9:00 p.m. Announcements, Next Meeting and Adjournment</p>	<p>A number of announcements were made on upcoming meetings and workshops that might interest WQAG members. Danila Sheveiko agreed to follow up with the ESD subcommittee on the possibility of a tour to visit recent examples of this new technology. Ms. Goldman agreed to work with the TMDL committee to find out status of the Bay TMDLs and local effects. Fred Samadani agreed to forward to Erica Goldman links to the most recent information on the Bay Model and TMDLs. Tanya Spano agreed to follow up for the Emerging Issues subcommittee for the Green Area Ratio approach to allow more flexibility in site design with the intent to provide more real 'green' area in the communities.</p> <p>The meeting ended at about 9:10 p.m.</p>

# WQAG MEETING SUMMARY

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### **Attachment A. Draft AGENDA**

7:00 Convene and approve March 2011 minutes and April agenda

7:10 Presentation on Forest Issues in the County--Katherine Nelson, Planning Department

- Countywide forest easement tracking system,
- Results of the recent countywide tree canopy study, and
- Potential changes to the forest banking program to help increase water quality benefits.

8:00 Discussion of WQAG support for Planning Department and County Attorney's note

8:50 Volunteers for WQAG Nomination Committee for April -May review of candidates

9:00 Adjourn

# WQAG MEETING SUMMARY

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### **Attachment B.**

#### **Draft Letter to Leggett concerning MNCPPC budget**

Dear County Executive Leggett:

We are writing to bring your attention to an issue that we believe affects our ability to appropriately fulfill our advisory role to you and to the County Council.

The Water Quality Advisory Board (WQAG), created through the Water Quality Discharge Law of 1994, serves to “recommend policies, programs, and priorities that protect, maintain, and/or restore the biological, chemical and physical integrity of county streams, rivers, wetlands, groundwater, lakes, and other water resources.”

As a group, WQAG understands that the water quality of a receiving water body depends integrally on decisions made on land. Montgomery County also recognized this close coupling of land use decisions and water quality when it initially designed the structure of WQAG to include joint public agency representation from the Department of Environmental Protection (DEP), Maryland-National Capital Parks and Planning Commission (M-NPCPPC), and the Washington Suburban Sanitary Commission (WSSC).

Now, WQAG is concerned that the County questions this fundamental connection between land use and water quality. At our February 2011 meeting, WQAG heard a presentation from our public agency representative on the M-NPCPPC’s budget. We learned that in FY11, M-NPCPPC sustained a 14.1% cut to its budget, which resulted in the loss of 31 positions – a 20 percent reduction in staff. More recently, it has come to our attention that under the proposed FY12 Budget, the Planning Department will face an additional 12.8% cut, likely to severely undercut the staffing capacity of the Planning Department. For WQAG, these proposed cuts engender concern for the County’s ability to meet its water quality goals, in recognition of the close connection between land use decisions and water quality.

In past years, WQAG has written letters of support for the DEP budget and provided comments on WSSC’s budget. We understood that it would be well within our purview to voice our concern in the form of a letter to the County Council on the proposed additional budget cuts to M-NPCPPC – as they have formal agency representation on our Board. We were surprised and dismayed to learn that the County Attorney (email communication on 3/31) finds the budget issues of the Planning Department to fall outside our prescribed mission to comment on “water quality goals, objectives, policy and programs.”

We believe that a lack of formal recognition of the connection between land use planning and water quality goals jeopardizes the scientific integrity of the WQAG and undermines our ability to be sound advisors to the County Executive and County Council. We ask for clarification of the County Attorney’s decision on WQAG’s jurisdiction in commenting on the budget of the Planning Department. We also welcome further discussion about how the Water Quality Advisory Board can most effectively be of service to the government of Montgomery County.

Sincerely,

# WQAG MEETING SUMMARY

**May 9, 2011**

**7:00 p.m.– 9:00 p.m.**

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Trudi Bick, public-at-large	✓		Pamela Parker, DEP
Beth Forbes, public-at-large	✓		Larry Silverman
Erica Goldman, scientific/academic	✓		Edgard Tellez-Morales
Carol Henry, scientific/academic	✓		
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural		✓	
Daphne Pee, public-at-large		✓	
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Patrick Walsh, environmental	✓		
Martin Chandler, WSSC	✓		
Meo Curtis, DEP	✓		
Mark Symborski MNCPPC	✓		

Agenda Item	Major Points
7:00-7:20 Introductions & Approval of Agenda, Transition from Meo to Pam, Review/approval of April minutes (Co-Chair Henry)	<p>The meeting convened at 7:05 p.m., but with no quorum. Co-Chair Henry acknowledged the transition in DEP liaison from Meo Curtis to Pam Parker. She, and the group, thanked Meo for her service to the WQAG. A quorum was reached at 7:15 p.m. The April minutes were accepted as amended. The agenda was approved with the addition of a discussion of Phase II WIP's as linked to TMDLs.</p> <p>Pam provided an update for the Nominating Committee. Three people have been interviewed for vacant spots on the WQAG. The Committee will make their recommendations to the Executive within the next week.</p>
<ul style="list-style-type: none"> <li>7:20-7:40pm Report from the ESD Subcommittee, with suggestions for field trip (Danila)</li> </ul>	<p>Danila reported for the ESD subcommittee. He is trying to put together a field trip to visit completed ESD to the MEP structures, hopefully within a geographic area convenient to the group. Pam and Meo explained that projects meeting the current ESD to the MEP requirements of the Maryland Stormwater Act of 2007 are mostly in design and construction with very few, small residential projects completed. Rick Brush of DPS would be the best source of information on permitted projects. The group discussed various possible field trip sites, with Danila suggesting the Silver Spring Eastern Village, Discovery Center, and schools with ESD. The group decided to conduct the field trip during the WQAG regular meeting day, perhaps meeting slightly earlier. Danila agreed to follow up with Rick Brush.</p> <p>Danila also suggested inviting Ryan Zerbe from DEP to speak to the group on progress for the 8 Watershed Outreach efforts identified in the Implementation Strategy. He also suggested organizing a panel discussion on watershed and ESD outreach and education among businesses and public agency representatives. Meo suggested approaching a Watershed group to organize and sponsor the panel discussion. Danila also suggested a speaker on green roofs, and agreed to contact DC Greenworks.</p>

# WQAG MEETING SUMMARY

## May 9, 2011

7:40-8:00pm Description of the Green Area Ratio concept and next steps (Tanya)	Tanya Spano then discussed identifying a speaker to brief the group on the DC Green Area Ratio. Prior to the meeting, Pam Parker had circulated information on a comment letter from the WQAG on the Zoning Text Amendment 08-01, the Green Area Definition. The current definition of green space also includes open space such as swimming pools and plazas that may be paved areas. Mr. Symborski said that the definition of green space is currently part of the zoning code rewrite, where proposed open space will include a % of green space. The Green Area Ratio is a system based on points for green areas, similar to the Seattle Green Factor Worksheet system. Mr. Sheveiko mentioned that both the Seattle Green Factor System and the Green Area ratio were summarized for the Zoning Code Rewrite group. Mr. Symborski said that he would obtain and distribute a copy of the summary. Ms. Spano proposed discussing the summary and possibly hearing a presentation on the DC's Green Area Ratio at the June Meeting and commenting on the Zoning Code rewrite in July. Mr. Symborski will check on the timeline for comments.
8:00-8:15pm Status Report on TMDL's and Linkage to Phase II WIPs (Erica)	Erica Goldman reported on the Status of the Chesapeake Bay Watershed TMDLs. At the local level, implementation strategies for urban stormwater and Agriculture are waiting for MDE and model outputs to determine local wasteload allocations. Local entities cannot move forward with funding requests for implementation strategies until the allocations are known. The group discussed the implications of the delayed wasteload allocations, and its effects on local Phase II entity planning. Ms. Goldman suggested inviting the Phase II entities to a discussion of WIP planning, and demonstration of pilot programs such as Anne Arundel County's draft Phase II WIP to help identify basics for successful approaches. Ms. Goldman agreed to look into inviting a speaker for the Corsica River project and Co-Chair Henry suggested inviting the Montgomery Phase II entities, Rockville, Gaithersburg, and Takoma Park.
8:15-8:35pm Description of National Research Council Meeting on Emerging Contaminants and next steps (Carol)	Co-Chair Henry attended the National Research Council meeting on Emerging Contaminants and reported on outcomes of the meeting. There is a need to coordinate studies on this issue. The group discussed inviting a speaker from WSSC to address water treatment issues with emerging contaminants.
8:35-8:50pm Planning for speakers for next 3 meetings (All)	The group revisited speakers proposed for future meetings. The group decided that they would like Ryan Zerbe to speak on outreach activities for the 8 priority areas identified in the Countywide Coordinated Implementation Strategy. They also identified the ESD field trip, a report on the Green Area Ratio and a report on the Zoning Code Rewrite as areas of interest for the June and July meetings. As mentioned, Erica Goldman will also look into inviting a speaker on the Corsica River Project. Ms. Curtis and Co-Chair Henry noted that the August meeting generally deals with the County budget for the new fiscal year.
8:55-9:00pm New Business	The group presented a card and gift certificate to Ms. Curtis in appreciation. The next meeting will be June 13. The meeting was adjourned at 9:05 p.m.

# WQAG MEETING SUMMARY

## Draft AGENDA

7:00-7:05pm Introductions & Approval of Agenda

7:05-7:10pm Transition from Meo to Pam

7:10-7:20pm Review/approval of April minutes

7:20-7:40pm Report from the ESD Subcommittee, with suggestions for field trip (Danila)

7:40-8:00pm Description of the Green Area Ratio concept and next steps (Tanya)

8:00-8:15pm Status Report on TMDL's (Erica)

8:15-8:35pm Description of National Research Council Meeting on Emerging Contaminants and next steps (Carol)

8:35-8:50pm Planning for speakers for next 3 meetings (All)

8:50-8:55pm Status of New Members for WQAG (Pam)

8:55-9:00pm New Business



# WQAG MEETING SUMMARY

**June 13, 2011**

**7:00 p.m.– 9:00 p.m.**

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Trudi Bick, public-at-large		✓	Kara Strong
Beth Forbes, public-at-large	✓		
Erica Goldman, scientific/academic		✓	
Carol Henry, scientific/academic	✓		
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural		✓	
Daphne Pee, public-at-large	✓		
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental		✓	
Patrick Walsh, environmental	✓		
Martin Chandler, WSSC		✓	
Pam Parker, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00-9:00 p.m. Field trip to Eastern Village	<p>The meeting convened at 7:05 p.m., at the Eastern Village, a unique residential multi-family co-housing building in Silver Spring, MD, that also offers commercial space. Eastern Village is certified as LEED Silver by the U.S. Green Building Council for environmental performance. Kara Strong, a resident of Eastern Village and an architect who was involved with the building's LEED documentation team gave WQAG members a tour of the building, highlighting environmentally friendly design details and various LEED measures that were incorporated into the building. The building was originally a data center for NOAA that stood vacant for a number of years. It was redeveloped into 55 residential condo units and 11 commercial units. The residential units are small, but residents share common spaces such as dining areas, living areas, workshops, guest rooms, bike storage and laundry facilities. The building incorporates several energy saving and environmentally sustainable features such as geothermal heating and cooling, an award winning green roof, low VOC carpet and paint, bamboo flooring. During re-development, Eastern Village removed the impervious parking area at the center of the u-shaped building and replaced it with a garden patio area landscaped with native plants. They did incorporate a few dry wells into the garden area, but also did eventually connect the property stormwater runoff to the DC storm sewer system. The green roof also helps minimize the property's stormwater runoff impact as well as providing an attractive open space for the residents.</p> <p>The meeting was adjourned at 9:00 p.m. The next meeting will be July 11.</p>		

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9:00 p.m.-10:00 p.m.	<p>Some of the group met for dinner at Mi Rancho following the Eastern Village Tour. Although not part of the formal meeting, a few topics were discussed and suggested as agenda items for the next meeting WQAG in July:</p> <p>Mike Smith discussed Maryland's pledge in the 2001 Anacostia Restoration Agreement to expand the Anacostia watershed forest cover. Construction of the ICC has reduced and fragmented forest canopy in the watershed. Carol Henry recommended that Mike draft a WQAG letter recommending that Montgomery County ask Maryland to identify sites in the Anacostia for reforestation.</p> <p>Mark Symborski mentioned that few people use anti-bacterial soaps with triclosan long enough to be effective and that such agents are a likely cause of antibiotics in our water supply. Beth Forbes agreed to draft a letter which recommended limiting the sale of soaps and detergents with triclosan in the county</p>
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